

# **DIGEST SUPPLEMENT**

To Legislative Digest and History of Bills **Edition No. 1 Supplement No. 23\*** 

## FIFTY-SEVENTH LEGISLATURE

Thursday, February 14, 2002

32nd Day - 2002 Regular

	SENATE			HOUSE	
SB 6057-S	SB 6751-S		HB 1549-S	HB 2536-S	HB 2956
SB 6327-S	SCR 8431		HB 1849-S2	HB 2545-S	HB 2957
SB 6329-S		I-	HB 1972-S	HB 2548-S	HB 2958
SB 6423-S		I	HB 2290-S	HB 2597-S	
SB 6428-S		I	HB 2294-S	HB 2598-S	
SB 6464-S		I	HB 2326-S	HB 2629-S	
SB 6496-S		I	HB 2338-S2	HB 2667-S	
SB 6507-S		I	HB 2360-S	HB 2676-S	
SB 6513-S		I-	HB 2361-S	HB 2690-S	
SB 6533-S		I-	HB 2366-S	HB 2703-S	
SB 6547-S		ŀ	HB 2367-S	HB 2709-S	
SB 6548-S		ŀ	HB 2389-S	HB 2710-S	
SB 6619-S		ŀ	HB 2395-S	HB 2754-S	
SB 6629-S		I-	HB 2398-S2	HB 2834-S	
SB 6670-S		ŀ	HB 2403-S2	HB 2854-S	
SB 6684-S		I	HB 2453-S	HB 2867-S	
SB 6748-S		H	HB 2512-S	HB 2895-S	

## LIST OF BILLS IN EDITION NO. 1 SUPPLEMENTS

S	ENATE	HOUS	E
SB 5026-S Supp. 20	SB 6060-S Supp. 17	HB 1005-S Supp. 19	HB 1791-S Supp. 16
SB 5033-S2 Supp. 18	SB 6080-S2 Supp. 20	HB 1079-S Supp. 11	HB 1917-S Supp. 19
SB 5079-S2 Supp. 7	SB 6085-S Supp. 16	HB 1118-S2 Supp. 16	HB 1938-S2 Supp. 21
SB 5104-S2 Supp. 15	SB 6100-S Supp. 18	HB 1157-S2 Supp. 20	HB 2015-S Supp. 22
SB 5134-S2 Supp. 17	SB 6140-S2 Supp. 10	HB 1221-S Supp. 21	HB 2033-S Supp. 15
SB 5162-S2 Supp. 7	SB 6230 Supp. 1	HB 1230-S2 Supp. 21	HB 2100-S2 Supp. 11
SB 5209-S Supp. 7	SB 6231 Supp. 1	HB 1260-S2 Supp. 9	HB 2160-S Supp. 11
SB 5218-S2 Supp. 7	SB 6232 Supp. 1	HB 1268-S Supp. 11	HB 2168-S Supp. 21
SB 5262-S Supp. 12	SB 6233 Supp. 1	HB 1277-S Supp. 15	HB 2169-S Supp. 3
SB 5354-S2 Supp. 21	SB 6233-S Supp. 7	HB 1328-S2 Supp. 21	HB 2190-S2 Supp. 16
SB 5370-S2 Supp. 11	SB 6234 Supp. 1	HB 1345-S Supp. 11	HB 2224-S Supp. 22
SB 5425-S2 Supp. 16	SB 6234-S Supp. 17	HB 1395-S Supp. 14	HB 2284 Supp. 1
SB 5429-S Supp. 21	SB 6235 Supp. 1	HB 1397-S Supp. 18	HB 2285 Supp. 1
SB 5480-S2 Supp. 21	SB 6236 Supp. 1	HB 1411-S Supp. 21	HB 2286 Supp. 1
SB 5506-S2 Supp. 8	SB 6237 Supp. 1	HB 1437-S Supp. 16	HB 2287 Supp. 1
SB 5700-S Supp. 21	SB 6238 Supp. 1	HB 1444-S Supp. 17	HB 2288 Supp. 1
SB 5797-S2 Supp. 12	SB 6239 Supp. 1	HB 1474-S Supp. 22	HB 2289 Supp. 1
SB 5823-S Supp. 10	SB 6240 Supp. 1	HB 1477-S2 Supp. 19	HB 2290 Supp. 1
SB 5827-S2 Supp. 20	SB 6240-S Supp. 19	HB 1517-S2 Supp. 11	HB 2291 Supp. 1
SB 5936-S3 Supp. 19	SB 6241 Supp. 1	HB 1521-S Supp. 3	HB 2292 Supp. 1
SB 5949-S2 Supp. 7	SB 6241-S Supp. 6	HB 1555-S Supp. 18	HB 2293 Supp. 1
SB 5960-S Supp. 20	SB 6242 Supp. 1	HB 1604-S2 Supp. 11	HB 2294 Supp. 1
SB 5963-S2 Supp. 21	SB 6243 Supp. 1	HB 1627-S Supp. 14	HB 2295 Supp. 1
SB 5969-S Supp. 22	SB 6243-S Supp. 20	HB 1630-S Supp. 17	HB 2296 Supp. 1
SB 5997-S Supp. 18	SB 6244 Supp. 1	HB 1640-S Supp. 22	HB 2297 Supp. 1
SB 6009-S2 Supp. 21	SB 6244-S Supp. 15	HB 1646-S2 Supp. 19	HB 2298 Supp. 1
SB 6034-S2 Supp. 18	SB 6245 Supp. 1	HB 1663-S Supp. 11	HB 2299 Supp. 1

#### **House Bills**

HB 1549-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Cody, Campbell, Conway, Schmidt, Fromhold, Kenney, Rockefeller, McIntire, Miloscia, Edwards, Hunt, Edmonds, O'Brien, Ogden, Kagi, Lovick, Darneille and Poulsen; by request of Governor Locke and Attorney General)

Limiting minors' access to tobacco.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that, beginning January 1, 2002, self-service displays of tobacco products are prohibited. All in-store tobacco products must be sold from behind the counter or from within locked display units.

Does not apply to retailers who sell tobacco products exclusively.

Does not apply to sales from within premises where minors are prohibited by statute.

Provides that, for the purposes of this act the liquor control board has discretion to determine whether a retailer sells tobacco products exclusively or primarily.

#### -- 2002 REGULAR SESSION --

Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 1849-S2 by House Committee on Appropriations (originally sponsored by Representatives Pearson, Jackley, Doumit, Eickmeyer, Rockefeller, Cox, Barlean, Armstrong, Bush and O'Brien; by request of Parks and Recreation Commission)

Requiring the parks and recreation commission to have a record check performed on certain job applicants.

## (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Directs the commission to adopt rules that require a record check and fingerprinting of job applicants, volunteers, and independent contractors who will work with children or vulnerable adults, or who will be responsible for collecting or disbursing cash or processing credit card transactions, through the Washington state patrol criminal identification system and through the federal bureau of investigation.

Authorizes the commission to charge prospective job applicants, volunteers, and independent contractors for the costs of conducting the record check and fingerprinting.

Directs the commission to require the destruction of any fingerprints, copies of fingerprints, or their facsimiles after the screening of the job applicant, volunteer, or independent contractor has been completed.

#### -- 2002 REGULAR SESSION --

Feb 7	APP - Majority; 2nd substitute bill be
	substituted, do pass.
Feb 12	Passed to Rules Committee for second
	reading.
Feb 13	Made eligible to be placed on second
	reading.

**HB 1972-S** by House Committee on Finance (originally sponsored by Representatives Quall, Morris, Wood and McIntire)

Authorizing a local option real estate excise tax for affordable housing purposes.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the legislative authority of any county to impose an additional excise tax on the purchase and sale of real property in the county at the rate of one-half of one percent of the selling price. The proceeds of the tax shall be used exclusively for the development of affordable housing including acquisition, building, rehabilitation, and maintenance and operation of housing for very low, low, and moderate income persons and those with special needs.

#### -- 2002 REGULAR SESSION --

Feb 11	FIN - Majority; 1st substitute bill be
	substituted, do pass.
	Minority; do not pass.
Feb 12	Passed to Rules Committee for second
	reading.

HB 2290-S by House Committee on Agriculture & Ecology (originally sponsored by Representatives Linville and Schoesler; by request of Department of Agriculture)

Creating the fruit and vegetable inspection account.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the fruit and vegetable inspection account in the custody of the state treasurer. All fees collected under this chapter must be deposited into the account. Expenditures from the account may be used for implementation and enforcement of this chapter or other legislatively authorized activity. The director of agriculture may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Requires the director to establish and maintain accounts within the fruit and vegetable inspection account for each district established under RCW 15.17.230.

Reduces the number of inspection districts in the state from three to two.

Directs the department of agriculture and the office of financial management to jointly examine the administrative support provided by the department to the fruit and vegetable inspection program conducted in the fruit and vegetable inspection districts and the funding provided by fruit and vegetable inspection fees, and interest on any moneys derived from those fees, for the administration of the department.

Provides that, if fruit and vegetable inspection districts that existed on January 1, 2002, under RCW 15.17.230 are consolidated or otherwise altered during 2002, the consolidation or alteration must not result in a reduction of inspection services or the availability or quality of those services in any of the districts, but may result in a consolidation of administrative support for those services.

Repeals RCW 15.17.245.

#### -- 2002 REGULAR SESSION --

Feb 8 AGEC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Referred to Appropriations.

Feb 9 APP - Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Agriculture & Ecology.

Feb 12 Passed to Rules Committee for second reading.

HB 2294-S by House Committee on Appropriations (originally sponsored by Representatives Hatfield, Doumit, Kessler, Eickmeyer, Lantz, Rockefeller, Wood, Mielke, Boldt, Benson, Edwards, Upthegrove and Dunn)

Allowing the department of natural resources to seek volunteers to maintain recreation sites.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that by providing expanded opportunities for participation by volunteers at recreation sites operated by the department of natural resources, the state will save money and be able to keep some recreation sites open that would otherwise close, and there will be expanded community service opportunities for youth groups, other civic organizations, and businesses.

Provides that, if a recreation site is determined by the department as appropriate to keep open but the site is being considered for permanent closure due to insufficient funds, before the department may close the recreation site the department must involve the public and interested stakeholders in seeking alternatives to closure that may involve partnerships with volunteers, businesses, other governmental agencies, and organizations.

Provides that the act shall be null and void if appropriations are not approved.

## -- 2002 REGULAR SESSION --

Feb 9 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2326-S by House Committee on Agriculture & Ecology (originally sponsored by Representatives Linville, Romero, Lantz, Rockefeller, Cooper, Hunt, Simpson, Kagi and Ruderman)

Establishing the Washington climate and rural energy development center.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the establishment of the Washington climate and rural energy development center in the Washington State University energy program to serve as a central, impartial, nonregulatory, public source of credible and reliable information and services necessary to address the various aspects of climate change and clean energy activities.

#### -- 2002 REGULAR SESSION --

Feb 8 AGEC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Referred to Appropriations.

Feb 12 APP - Majority; do pass 1st substitute bill proposed by Agriculture & Ecology.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2338-S2 by House Committee on Appropriations (originally sponsored by Representatives Kagi, Ballasiotes, O'Brien, Lantz, Dickerson, Linville, McIntire, Conway and Wood)

Revising sentences for drug offenses.

## (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Adopts the recommendations of the sentencing guidelines commission regarding drug offenses.

Declares an intent to increase the use of effective substance abuse treatment for defendants and offenders in Washington in order to make frugal use of state and local resources, thus reducing recidivism and increasing the likelihood that defendants and offenders will become productive and law-abiding persons.

Intends that sentences for drug offenses accurately reflect the adverse impact of substance abuse and addiction on public safety, that the public must have protection from violent offenders, and further intends that such sentences be based on policies that are supported by research and public policy goals established by the legislature.

#### -- 2002 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2360-S by House Committee on Health Care (originally sponsored by Representatives Conway, Campbell, Cody, Edwards, Wood and Schual-Berke)

Regulating negotiations between health providers and health carriers.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes a joint select committee on collective negotiations to study the regulation of collective negotiations between health care providers and health insurance carriers authorized under chapter 43.72 RCW.

Requires the committee to report to the legislature by the first day of the regular legislative session commencing in January 2003 on its findings and recommendations, together with any legislative proposals implementing them. The authority of the committee expires at such time.

#### -- 2002 REGULAR SESSION --

Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

HB 2361-S by House Committee on Transportation (originally sponsored by Representatives Fisher, Hatfield, Hankins, Lovick, Edwards and Kenney; by request of Department of Licensing)

Authorizing department of licensing publications to include advertising.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes department of licensing publications to include advertising.

Requires the department to report back to the transportation committees by no later than January 31, 2003, and January 31, 2004, on the status of implementing the provisions of this act.

### -- 2002 REGULAR SESSION --

Feb 11 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Feb 12 Passed to Rules Committee for second reading.

HB 2366-S by House Committee on Appropriations (originally sponsored by Representatives Ogden, Woods, Romero, Skinner and Chase; by request of Secretary of State)

Funding and authorizing expenditures of the secretary of state.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the secretary of state to fund oral history activities through donations as provided in RCW 43.07.037. The activities may include, but not be limited to, conducting interviews, preparing and indexing transcripts, publishing transcripts and photographs, and presenting displays and programs. Donations that do not meet the criteria of the oral history program may not be accepted.

Authorizes the archivist to solicit, accept, and expend donations as provided in RCW 43.07.037 for the purpose of the archive program. These purposes include, but are not limited to, acquisition, accession, interpretation, and display of archival materials. Donations that do not meet the criteria of the archive program may not be accepted.

#### -- 2002 REGULAR SESSION --

Feb 7 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

Feb 13 Made eligible to be placed on second reading.

HB 2367-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Ballasiotes, Cody, McDermott, Veloria, Lysen, Darneille, Dickerson, Linville, Lovick, Edwards, Kagi and Kenney)

Authorizing advance directives for mental health treatment.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that a person has the ability to control decisions relating to his or her own mental health care even when the person's ability to declare his or her choices is impaired due to mental illness.

Recognizes that an advance directive can be an essential tool for a person to express his or her choices before the effects of mental illness deprive the person of the power to express his or her instructions and preferences for mental health treatment.

Affirms that, pursuant to other provisions of law, a mental health advance directive created under this act should be respected by medical and mental health professionals, guardians, attorneys-in-fact, and other surrogate decision makers acting on behalf of the person who created it.

## -- 2002 REGULAR SESSION --

Feb 8 JUDI - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

HB 2389-S by House Committee on Appropriations (originally sponsored by Representatives Conway, Doumit, Cooper, Delvin, Talcott, Lovick, Lysen,

Haigh and Simpson; by request of Joint Committee on Pension Policy)

Qualifying for a transfer payment under the public employees' retirement system plan 3.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the transfer of seasonal and military leave of absence employees to the public employees' retirement system plan 3.

Pertains to those members employed by state agencies and institutes of higher education who request to transfer under this section during their transfer period and establish service credit for August 2002, and those members employed by other organizations and who establish service credit for either August 2002 or February 2003.

#### -- 2002 REGULAR SESSION --

Feb 5 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2395-S by House Committee on Appropriations (originally sponsored by Representatives Doumit, Alexander, Cooper, Conway, Delvin, Dickerson, Ogden, Rockefeller, Linville, Talcott, Hunt, Lovick, Lysen, Kagi, McIntire, Haigh, Simpson, Chase and Jackley; by request of Joint Committee on Pension Policy)

Providing a death benefit for certain state employees.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a one hundred fifty thousand dollar death benefit shall be paid to the member's estate, or such person or persons, trust or organization as the member has nominated by written designation duly executed and filed with the department.

Declares that the benefit under this act shall be paid only where death occurs as a result of injuries sustained in the course of employment.

## -- 2002 REGULAR SESSION --

Feb 5 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2398-S2 by House Committee on Appropriations (originally sponsored by Representatives Buck, Doumit, Eickmeyer, Rockefeller, Jackley, Woods, McDermott and Haigh; by request of Department of Natural Resources)

Establishing contract harvesting of timber on state trust lands.

#### (DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that it is in the best interest of the trust beneficiaries to capture additional revenues while providing for additional environmental protection on timber sales.

Finds that contract harvesting is one method to achieve these desired outcomes.

Authorizes the department to establish a contract harvesting program by directly contracting for the removal of timber and other valuable materials from state lands.

States that the contract requirements must be compatible with the office of financial management's guide to public service contracts.

Authorizes contract harvesting to be used anywhere in the state except for the area east of the Okanogan river, north of the Columbia river and main fork of the Spokane river as these rivers flow east of the crest of the Cascade mountains.

Provides that the department may not use contract harvesting for more than ten percent of the total annual volume of timber offered for sale.

Requires the board of natural resources to determine whether any special appraisal practices are necessary for logs sold by the contract harvesting processes, and if so, adopt the special appraisal practices or procedures. In its consideration of special appraisal practices, the board of natural resources must consider and adopt procedures to rapidly market and sell any log sorts that failed to receive the required minimum bid at the original auction, which may include allowing the department to set a new appraised value for the unsold sort.

Requires the board of natural resources to establish and adopt policy and procedures by which the department evaluates and selects contract harvesters.

Requires the department of natural resources to provide a report to the appropriate committees of the legislature concerning the costs and effectiveness of the contract harvesting program. The report must be submitted by December 31, 2005.

#### -- 2002 REGULAR SESSION --

Feb 7 APP - Majority; 2nd substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

Feb 13 Made eligible to be placed on second

HB 2403-S2 by House Committee on Appropriations (originally sponsored by Representatives Kenney, Conway, Veloria, Linville, Campbell, O'Brien, Fromhold, Lovick, Hunt, Hurst, Miloscia, Jackley, Kagi,

reading.

Schual-Berke, Kessler, Gombosky, Berkey, Cody, Chase, Morris, Dickerson, Tokuda, Cooper, Darneille, Kirby, Upthegrove, Edwards, Romero, Santos, Lysen, Quall, McIntire, Wood, Haigh, McDermott, Simpson and Sullivan)

Providing for collective bargaining at four-year institutions of higher education.

## (AS OF HOUSE 2ND READING 2/12/02)

Provides for collective bargaining at four-year institutions of higher education.

#### -- 2002 REGULAR SESSION --

Feb 9 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Feb 12 Placed on second reading.

2nd substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 55; nays, 42; absent, 1.

Notice given to reconsider vote on third reading.

Vote on third reading will be reconsidered. Third reading, passed: yeas, 52; nays, 45; absent, 1.

Notice given to reconsider vote on third reading.

Vote on third reading will be reconsidered. Third reading, passed: yeas, 53; nays, 44; absent. 1.

HB 2453-S by House Committee on State
Government (originally sponsored by
Representatives Bush, Haigh, Schmidt, Simpson, Conway,
Reardon, Mielke, Wood, Talcott, Miloscia, Cairnes,
McIntire, Campbell, Orcutt, Pflug, Cooper, Nixon, Jackley,
Ahern, Rockefeller, Van Luven, Esser, Ogden and Woods)

Protecting veterans' records.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Protects discharge papers of a veteran of the armed forces of the United States filed at county auditor offices, providing that the veteran has filed a "request for exemption from public disclosure of discharge papers" with the county auditor.

Declares that, if such a request has been filed, these records may be released only to the veteran filing the papers, or anyone else designated in writing by the veteran to receive the papers.

## -- 2002 REGULAR SESSION --

Feb 8 SG - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

Feb 13 Placed on second reading by Rules Committee.

**HB 2512-S** by House Committee on State Government (originally sponsored by Representatives Upthegrove, Schmidt, Miloscia, Romero, Edwards, Jackley, Kenney, Ogden, Chase, Morris,

McDermott and Schual-Berke; by request of Governor Locke)

Creating the uniform regulation of business and professions act.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the uniform regulation of business and professions act.

#### -- 2002 REGULAR SESSION --

Feb 8 SG - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

HB 2536-S by House Committee on Appropriations (originally sponsored by Representatives Fromhold, Cox, Schual-Berke, Talcott, Conway, Doumit, Grant, Cody, Benson, McDermott, Delvin, Sullivan, Armstrong, Eickmeyer, Miloscia, Roach, Casada, Mielke, Morell, Boldt, Barlean, Chase, Rockefeller, Ogden, Lantz, Edwards, Simpson, Kessler, Haigh, Pearson, Dunn, Quall, Veloria, Kagi, McIntire, Wood, Santos and Linville)

Offering health care benefit plans to school district employees.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Gives the health care authority to publish and distribute to nonparticipating school districts and educational service districts by October 1st of each year a description of health care benefit plans available through the authority and the estimated cost if school districts and educational service district employees were enrolled.

## -- 2002 REGULAR SESSION --

Feb 7 APP - Majority; 1st substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

Feb 13 Placed on second reading by Rules Committee.

HB 2545-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Cooper, McIntire, Simpson, Santos, Chase and Anderson; by request of Governor Locke, Insurance Commissioner and Attorney General)

Regulating single premium credit insurance.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that single premium credit insurance, when added to a loan balance and financed, reduces equity in real property and may cost purchasers of credit insurance thousands of dollars in interest payments. This insurance may also be sold using deceptive marketing practices.

Provides that an insurer offering or providing credit insurance in this state shall not offer, deliver, issue for delivery, cause to be delivered, or sell any form of single premium credit insurance in connection with a residential mortgage loan in this state.

Does not apply to residential mortgage loans that meet all of the following criteria: (1) The loan amount does not exceed ten thousand dollars;

- (2) The repayment term of the loan does not exceed five years; and
- (3) The repayment term of the credit insurance premium does not exceed the repayment term of the loan.

#### -- 2002 REGULAR SESSION --

Feb 8 FII - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Feb 13 Placed on second reading by Rules Committee.

HB 2548-S by House Committee on Transportation (originally sponsored by Representatives Sullivan, Fisher, Mitchell, Hurst, Bush, Darneille, Jarrett, Rockefeller, Ogden, Edwards, Simpson, Haigh, Nixon, Anderson, Kenney, Kirby and Jackley)

Allowing advertising on bus shelters.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that local transit authority bus shelters within the right of way of the state highway system may display and maintain commercial advertisements subject to applicable federal regulations, if any. Pursuant to RCW 47.12.120, the department shall lease state right of way air space to local transit authorities for this purpose, unless there are significant safety concerns regarding the placement of certain advertisements.

Provides that advertisements posted on a local transit authority's bus shelter may not exceed twenty-four square feet on each side of the panel. One back-to-back panel is allowed on the downstream side of the shelter.

## -- 2002 REGULAR SESSION --

Feb 7 TR - Majority; 1st substitute bill be substituted, do pass.

Feb 8 Passed to Rules Committee for second reading.

**HB 2597-S** by House Committee on State Government (originally sponsored by Representatives Conway, Wood and McIntire)

Allowing governmental entities that award publicly funded contracts to select contractors using the lowest responsible bidder method.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes all state or local governmental entities that award contracts for publicly funded projects to select contractors by the lowest responsible bidder method.

Provides that, in determining lowest responsible bidder, in addition to price, the governmental entity awarding the contract must consider the following elements:(1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required;

- (2) The experience of the bidder;
- (3) Whether the bidder has historically demonstrated the ability to perform the contract within the time specified;
- (4) The satisfactory completion of previous contracts or services by the bidder;
- (5) The previous and current compliance by the bidder with contracting laws.

#### -- 2002 REGULAR SESSION --

Feb 8 SG - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

HB 2598-S by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives O'Brien, Morell, Conway, Kagi and Kirby; by request of Jt Select Comm on the Equitable Distrib of Secure Community Transition Facil)

Implementing the recommendations of the joint select committee on the equitable distribution of secure community transition facilities.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the purpose of this act is to enable the legislature to act upon the recommendations of the joint select committee on the equitable distribution of secure community transition facilities established in section 225, chapter 12, Laws of 2001 2nd sp. sess.

Provides that no person may bring a cause of action for civil damages based on the good faith actions of any county or city to provide for the siting of secure community transition facilities in accordance with this section and with the requirements of chapter 12, Laws of 2001 2nd sp. sess.

Requires that law enforcement shall respond to a call regarding a resident of a secure community transition facility as a high priority call.

Provides that no law enforcement officer responding reasonably and in good faith to a call regarding a resident of a secure community transition facility shall be held liable nor shall the city or county employing the officer be held liable, in any cause of action for civil damages based on the acts of the resident or the actions of the officer during the response.

Provides that, at the request of the local government of the city or county in which a secure community transition facility is initially sited after January 1, 2002, the department shall enter into a long-term contract memorializing the agreements between the state and the city or county for the operation of the facility.

Provides that, subject to funds appropriated by the legislature, the department may enter into negotiation for a mitigation agreement with: (a) The county and/or city in which a secure community transition facility sited after January 1, 2002, is located;

(b) Each community in which the persons from those facilities will reside or regularly spend time, pursuant to court orders, for regular work or education, or to receive social services, or through which the person or persons will regularly be transported to reach other communities; and

(c) Educational institutions in the communities.

#### -- 2002 REGULAR SESSION --

Feb 8 CJC - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Referred to Appropriations.

Feb 12 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2629-S by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, Kenney, Dickerson and Lysen)

Regulating elevator contractors and mechanics.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides for regulation of elevator contractors and mechanics.

#### -- 2002 REGULAR SESSION --

Feb 8 CL - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2667-S by House Committee on Commerce & Labor (originally sponsored by Representatives Veloria, Darneille, Haigh, Delvin, Tokuda, Chase and Santos)

Regulating social referral service agencies.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that foreign women entering the United States and the state of Washington as brides through businesses that match foreign women to men in the United States often suffer emotional and physical abuse at the hands of their husbands.

Declares an intent to provide protection to these women by regulating businesses that match foreign women to men in the United States by requiring these businesses to provide: To foreign women, information about their rights under the laws, including the right to be free from emotional and physical abuse and the resources available to them to combat such abuse; and to men in the United States who are seeking social referral services with foreign women, information on the culture and customs of the foreign women.

Declares that a person or business may not offer foreign social referral services in the state of Washington without having first obtained a foreign social referral service license issued by the department.

Authorizes the director to investigate complaints concerning practice by unlicensed persons or business for which a license is required by this act.

Declares that a person who attempts to obtain, obtains, or attempts to maintain a license by willful misrepresentation or fraudulent representation is guilty of a gross misdemeanor.

Provides that an application for license must be made to the department on forms provided by the department and must contain that information as the department reasonably requires. An application for license must be accompanied by a license fee established by the department under RCW 43.24.086.

#### -- 2002 REGULAR SESSION --

Feb 8 CL - Majority; 1st substitute bill be substituted, do pass.

Referred to Appropriations.

HB 2676-S by House Committee on Local Government & Housing (originally sponsored by Representatives Hatfield, Mulliken, Dunshee, Mielke, Kirby, Berkey, Edwards, Dunn, DeBolt, Crouse and Sullivan)

Establishing a schedule for review of comprehensive plans and development regulations adopted under the growth management act.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes a schedule for review of comprehensive plans and development regulations adopted under the growth management act.

Provides that the state treasurer shall withhold a portion of the revenues to which a county or city, that is subject to RCW 36.70A.130(4)(a), is entitled under this act if the requirements of RCW 36.70A.130(1) are not completed by the date established in RCW 36.70A.130(4)(a).

## -- 2002 REGULAR SESSION --

Feb 8 LGH - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation. Passed to Rules Committee for second

reading.

Feb 11 Made eligible to be placed on second reading.

HB 2690-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Cody, Kirby, Upthegrove, Tokuda, Chase, Nixon, Hankins, Ogden, Hunt, Romero, Santos, Lantz, Lysen, Darneille, Simpson, Rockefeller, Kagi, McDermott and Ruderman)

Providing emergency contraception to sexual assault victims.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that "emergency care to victims of sexual assault" means medical examinations, procedures, and services provided by a hospital emergency room to a victim of sexual assault following an alleged sexual assault.

Provides that "emergency contraception" means any health care treatment approved by the food and drug administration that prevents pregnancy, including but not limited to administering two increased doses of certain oral contraceptive pills within seventy-two hours of sexual contact.

Provides that every hospital providing emergency care to a victim of sexual assault shall: (1) Provide the victim with medically and factually accurate and unbiased written and oral information about emergency contraception;

- (2) Orally inform each victim of sexual assault of her option to be provided emergency contraception at the hospital; and
- (3) If not medically contraindicated, provide emergency contraception immediately at the hospital to each victim of sexual assault who requests it.

Directs the department to convene a task force, composed of representatives from community sexual assault programs and other relevant stakeholders including advocacy agencies, medical agencies, and hospital associations, to provide input into the development and evaluation of the education materials and rule development. The task force shall expire on January 1, 2004.

#### -- 2002 REGULAR SESSION --

Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

**HB 2703-S** by House Committee on Health Care (originally sponsored by Representatives Darneille, Skinner, Cody and Wood)

Studying the costs and benefits of fluoride in public water supplies.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the state of Washington has a compelling need for current, reliable, and comprehensive information regarding the potential benefits of fluoridation in reducing expenditures incurred by medicaid and other public health programs. Directs the department of health to study the costs and benefits of dental disease prevention through fluoridation of public water supplies.

Requires that the costs of the study shall be borne by foundation grants.

Requires the department of health to submit a report of its findings to the legislature by December 31, 2002.

#### -- 2002 REGULAR SESSION --

Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 2709-S by House Committee on State Government (originally sponsored by Representatives Romero, Upthegrove, Ogden, Cooper, Grant and McDermott)

Changing provisions concerning minor party nominating conventions.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to protect the integrity of the election process for minor political parties and independent candidates.

Does not intend to create barriers to the political process for minor political parties and independent candidates, but to prevent major political parties from interfering in the nominating process for minor political parties and independent candidates.

Provides that every person who signs a nominating petition using other than his or her true name, who makes a false statement on a nominating petition as to his or her residence, who is not registered to vote in the jurisdiction of the office for which the nomination is made, who signs a nominating petition for a minor political party or an independent candidate while serving as a precinct committee officer, who knowingly signs more than one nominating petition for the same office, who signs a nominating petition that does not clearly identify the name of the candidate or candidates to be nominated, who serves as a presiding officer or a secretary at a minor political party or independent candidate nominating convention while serving as a precinct committee officer, or who falsely verifies a certificate of nomination, is guilty of a gross misdemeanor punishable in the same manner as a gross misdemeanor is punishable under RCW 9A.20.021.

## -- 2002 REGULAR SESSION --

Feb 8 SG - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

HB 2710-S by House Committee on Commerce & Labor (originally sponsored by

Representatives Van Luven, Veloria, Esser, Tokuda, Santos, Cooper, Morell and Nixon)

Applying the consumer protection act to the sale of halal food products.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that no dealer may knowingly sell or offer for sale any food product represented as "halal" or "halal style" when that dealer knows or should know that the food product is not halal and when the representation is likely to cause a prospective purchaser to believe that it is halal.

Provides that a dealer that sells "halal" or "halal style" food products, where this food product represents more than fifty percent of the person's inventory, must: (1) Label all "nonhalal" food products as "nonhalal" by display of appropriate signage or labeling so that the consumer can clearly differentiate between food products that are "halal" and "nonhalal"; and

(2) Maintain and make available, upon request, a written copy of ingredients and processes, used in the preparation of halal food products. This provision only applies if the information is readily available from the producer, wholesaler, or distributor of the halal food product.

Declares that a dealer who violates any provision of this chapter is guilty of a gross misdemeanor.

## -- 2002 REGULAR SESSION --

Feb 8 CL - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 13 Made eligible to be placed on second reading.

HB 2754-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Esser, Dickerson, Jarrett, Lysen and Kagi)

Modifying mandatory arbitration provisions.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, in counties with a population of more than one hundred fifty thousand, mandatory arbitration of civil actions under chapter 7.06 RCW shall be required.

Provides that, in counties with a population of less than one hundred fifty thousand, the superior court of the county, by majority vote of the judges thereof, or the county legislative authority may authorize mandatory arbitration of civil actions under this chapter.

#### -- 2002 REGULAR SESSION --

Feb 8 JUDI - Majority; 1st substitute bill be substituted, do pass.

Referred to Appropriations.

Feb 9 APP - Executive action taken by committee.

APP - Majority; do pass 1st substitute bill proposed by Judiciary.

Minority; do not pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2834-S by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Campbell, Cody, Darneille, Conway, Edwards, Chase, Hunt and Pflug)

Requiring a medication or treatment order as a condition for children with life-threatening conditions to attend public school.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the attendance of every child at every public school in the state shall be conditioned upon the presentation before or on each child's first day of attendance at a particular school of a medication or treatment order addressing any life-threatening health condition that the child has that may require medical services to be performed at the school. Once such an order has been presented, the child shall be allowed to attend school.

#### -- 2002 REGULAR SESSION --

Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 13 Placed on second reading by Rules

Committee.

HB 2854-S by House Committee on Select Committee on Community Security (originally sponsored by Representatives Schual-Berke, Haigh, Morris, Barlean, O'Brien, Hurst, Hatfield, Anderson, Chase, Upthegrove and Rockefeller)

Creating a plan to improve preparedness in response to a bioterrorist event.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds there is a need to focus on the prevention, detection, management, and containment of public health emergencies from infectious diseases.

Finds that an effective communications system is needed to ensure that health care providers across the state can quickly and efficiently notify and communicate with each other regarding signs and symptoms they may observe that may be the earliest indications of bioterrorism and terrorist related public health emergencies.

Finds that there is a need to coordinate planning among government agencies to ensure an effective response to bioterrorism incidents or other terrorist attacks.

Recognizes that the department of health and human services has recently awarded funding to the department of health to develop a comprehensive bioterrorism plan and to improve and expand disease surveillance and investigation, communication, public health laboratory capacity, and hospital system readiness.

Designates the department as the coordinator of the state bioterrorism preparedness and response program. By July 2, 2002, the department shall prepare a plan for improving current preparedness and response for a bioterrorist event or other public health emergency.

Requires the department to submit the state plan to the federal department of health and human services by March 15, 2002, and no later than April 15, 2002. If the deadline for plan submission is extended, the department shall submit the state plan no later than the subsequent deadline established by the federal department of health and human services.

#### -- 2002 REGULAR SESSION --

Feb 8 SCCS - Majority; 1st substitute bill be substituted, do pass.

Referred to Appropriations.

Feb 11 APP - Majority; 2nd substitute bill be substituted, do pass.

Feb 12 Passed to Rules Committee for second reading.

HB 2867-S by House Committee on Agriculture & Ecology (originally sponsored by Representatives Fromhold, Ogden, McMorris, Grant, Haigh and Delvin)

Mitigating the effects of the aquatic pesticide national pollutant discharge elimination system permit required as the result of a recent court decision.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the recent federal court of appeals decision in *Headwaters, Inc. v. Talent Irrigation District*, 243 F.3rd 526 (9th Cir. 2001) imposes a duty to obtain a national pollutant discharge elimination system permit under the clean water act for the application of pesticides to irrigation canals. This duty is also extended to other individuals and organizations that apply pesticides to other waters, where no duty existed before the *Talent* decision.

Finds that the costs associated with the issuance of the national pollutant discharge elimination system permit now required by the department of ecology as a result of the federal decision is unfairly burdensome to the affected individuals and organizations.

Declares an intent to reduce the burden of the federal decision on those individuals and organizations.

Declares that the fee for a general permit or an individual permit required solely as a result of the federal court of appeals decision in *Headwaters, Inc. v. Talent Irrigation District*, 243 F.3rd 526 (9th Cir. 2001) is limited to a maximum of three hundred dollars.

Appropriates the sum of two hundred thousand dollars, or as much thereof as may be necessary, to the department of ecology for the biennium ending June 30, 2003, from the water quality permit account for the purposes of developing and administering the permit program described in this act.

#### -- 2002 REGULAR SESSION --

Feb 8	AGEC - Majority; 1st substitute bill be substituted, do pass.
	Referred to Appropriations.
Feb 9	APP - Executive action taken by
	committee.
	APP - Majority; 2nd substitute bill be
	substituted, do pass.
Feb 12	Passed to Rules Committee for second
	reading.

HB 2895-S by House Committee on Appropriations (originally sponsored by Representatives Kessler, Chase and Ogden)

Allowing port employees to join more than one retirement plan subject to a labor agreement.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that the governing body of a port district may enter into an agreement in writing with one or more of its officers or employees or a group of such officers and employees, authorizing deductions from the officer's or employee's salary or wages of the amount of any premium specified in writing by the officer or employee, for contribution to any private pension plan, without loss of eligibility for membership in the state employees' retirement system, and may agree to remit that amount to the management of such private pension plan. However, no port district funds shall be contributed or paid to such private plan.

Declares that nothing in this act may be invoked to invalidate any private pension plan or any public or private contributions or payments thereto, or exclude members of any such private pension plan from membership in the state employees' retirement system, if such private plan was in operation on December 31, 2001.

#### -- 2002 REGULAR SESSION --

Feb 7	APP - Majority; 1st substitute bill be
	substituted, do pass.
Feb 12	Passed to Rules Committee for second
	reading.
Feb 13	Placed on second reading by Rules
	Committee.

HB 2956 by Representatives Cody, Campbell, Darneille, Schual-Berke, Skinner, Conway, Santos, Lysen, Ogden, Kenney and Linville

Creating a steering committee to study improving the funding and quality of care in the state's long-term care system.

Creates a steering committee to study improving the funding and quality of care in the state's long-term care system.

Appropriates the sum of seventy-five thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2003, from the general fund to the office of financial management for the purposes of this act.

#### -- 2002 REGULAR SESSION --

First reading, referred to Health Care. Feb 13

HB 2957 Representatives Clements and Schindler

Repealing ergonomics rules.

Provides that rules dealing with musculoskeletal disorders, adopted on May 26, 2000, by the director, and codified as WAC 296-62-05101 through 296-62-05176, shall have no force or effect. The director shall not adopt any new or amended rules dealing with musculoskeletal disorders that are substantially the same as these rules.

## -- 2002 REGULAR SESSION --

Feb 13 First reading, referred to Commerce & Labor.

**HB 2958** by Representatives Grant, Nixon, Kessler, Roach, Linville, Morris, Reardon, Lisk,

Bush and Lantz

Eliminating Washington estate taxes on estates with no federal tax liability.

Revises Washington estate taxes on estates with no federal tax liability.

#### -- 2002 REGULAR SESSION --

Feb 13 First reading, referred to Finance.

## **Senate Bills**

SB 6057-S by Senate Committee on Economic Development & Telecommunications (originally sponsored by Senators T. Sheldon and Roach)

Incorporating effective economic development planning into growth management planning.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Incorporates effective economic development planning into growth management planning.

Declares an intent that the new elements required under section 3 of this act be adopted concurrent with the scheduled update provided in RCW 36.70A.130. Section 3 of this act is null and void unless funds are appropriated by the state at least one year before local governments must update comprehensive plans as required in RCW 36.70A.130.

## -- 2002 REGULAR SESSION --

ET - Majority; 1st substitute bill be Feb 8 substituted, do pass. And refer to Ways & Means.

Referred to Ways & Means.

SB 6327-S by Senate Committee on Transportation (originally sponsored by Senators Johnson, Zarelli, Hale, Hewitt, Benton, Rossi, Morton, Horn, Winsley, Finkbeiner, Haugen, Keiser, Long, Rasmussen and Oke)

Creating United We Stand license plate emblems.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the department and the Washington state patrol to jointly create and design, and the department to issue, a special United We Stand license plate emblem to be displayed in a manner described by the department for motor vehicles required to display two motor vehicle license plates, excluding vehicles registered under chapter 46.87 RCW, upon terms and conditions established by the department.

Provides that the fee for each emblem issued must be in an amount sufficient to offset the costs of production of emblems and the administration of the program by the department plus an amount not to exceed a total fee of fifteen dollars per emblem.

#### -- 2002 REGULAR SESSION --

TRAN - Majority; 1st substitute bill be Feb 12 substituted, do pass.

> Passed to Rules Committee for second reading.

> Made eligible to be placed on second reading.

SB 6329-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Regala, Honeyford, Fraser, Jacobsen and Winsley)

Exempting certain hybrid vehicles from emission control inspection requirements.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Exempts hybrid motor vehicles that obtain a rating by the environmental protection agency of at least fifty miles per gallon of gas during city driving. For purposes of this provision, a hybrid motor vehicle is one that uses propulsion units powered by both electricity and gas.

## -- 2002 REGULAR SESSION --

Feb 1 EEW - Majority; 1st substitute bill be substituted, do pass.

> Passed to Rules Committee for second reading.

Made eligible to be placed on second Feb 12 reading.

SB 6423-S by Senate Committee on Judiciary (originally sponsored by Senators Costa

and McCaslin)

Clarifying how criminal history should be used in sentencing decisions.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Considers the majority opinions in *State v. Cruz*, 139 Wn. 2d 186 (1999), and *State v. Smith*, Cause No. 70683-2 (September 6, 2001), to be wrongly decided, since neither properly interpreted legislative intent.

Declares that, when the legislature enacted the sentencing reform act, chapter 9.94A RCW, and each time the legislature has amended the act, the legislature intended that an offender's criminal history and offender score be determined using the statutory provisions that were in effect on the day the current offense was committed.

Declares that the legislature has never intended to create in an offender a vested right with respect to whether a prior conviction is excluded when calculating an offender score or with respect to how a prior conviction is counted in the offender score for a current offense.

Declares that RCW 9.94A.030(13) (b) and (c) and 9.94A.525(18) apply only to current offenses committed on or after the effective date of this act. No offender who committed his or her current offense prior to the effective date of this act may be subject to resentencing as a result of this act.

#### -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6428-S by Senate Committee on Judiciary (originally sponsored by Senators B. Sheldon, Johnson, Kline, Costa, McCaslin, Gardner, Long and Kohl-Welles; by request of Governor Locke and Attorney General)

Providing for loss prevention review teams.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency, a loss prevention review shall be conducted.

Recognizes the tension inherent in a loss prevention review and the need to balance the prevention of harm to the public with state agencies' accountability to the public.

Declares an intent to minimize this tension and to foster open and frank discussions by granting members of the loss prevention review teams protection from having to testify, and by declaring a general rule that the work product of these teams is inadmissible in civil actions or administrative proceedings.

Requires the director of financial management to appoint a loss prevention review team when the death of a person, serious injury to a person, or other substantial loss is alleged or suspected to be caused at least in part by the actions of a state agency, unless the director in his or her discretion decides that the incident does not merit review.

Provides that the final report from a loss prevention review team to the director of financial management shall be made public by the director promptly upon receipt, and shall be subject to public disclosure. The final report shall be subject to discovery in a civil or administrative proceeding. However, the final report shall not be admitted into evidence or otherwise used in a civil or administrative proceeding except pursuant to provisions of this act.

Provides that nothing in this act is intended to limit the scope of a legislative inquiry into or review of an incident that is the subject of a loss prevention review.

#### -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6464-S by Senate Committee on Transportation (originally sponsored by Senators Jacobsen, Horn and Kohl-Welles)

Authorizing the creation of a city transportation authority.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that every city with a population greater than three hundred thousand may create a city transportation authority to perform a public transportation function.

Requires that any city transportation authority and proposed taxes established pursuant to this act shall be approved by a majority vote of the electors residing within the proposed authority area voting at a regular or special election.

#### -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6496-S by Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Kline, McCaslin and Winsley)

Regulating vehicular pursuit.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, by December 1, 2002, the Washington state criminal justice training commission, the Washington state patrol, and the Washington association of sheriffs and police chiefs shall develop a written model policy on vehicular pursuits.

Provides that, by June 1, 2003, every state, county, and municipal law enforcement agency shall adopt and

implement a written vehicular pursuit policy. The policy adopted may, but need not, be the model policy developed under this act. However, any policy adopted must address the minimum requirements specified in this act.

Provides that, by June 30, 2005, every full-time law enforcement officer employed by a state, county, or municipal law enforcement agency shall have been trained on vehicular pursuits.

Provides that nothing in this act requires training on vehicular pursuit of any law enforcement officer who is employed in a state, county, or city law enforcement agency on the effective date of this act beyond that which he or she has received prior to the effective date of this act.

#### -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6507-S by Senate Committee on Economic Development & Telecommunications (originally sponsored by Senators T. Sheldon, Finkbeiner, Kastama and B. Sheldon)

Revising provisions relating to siting of facilities for personal wireless services.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that a city or town may not place a moratorium on siting facilities for personal wireless services that is longer than one hundred eighty days.

Provides that a city or town may not place a moratorium or interim zoning control, including renewals, more often than once in a five-year period.

Provides that moratoria and interim zoning controls must not be used to stall, discourage, or otherwise effectively prohibit the placement of personal wireless facilities within a community.

Requires that, during the time a moratorium or interim zoning control is in effect, a city or town will continue to process complete applications for the placement of personal wireless facilities that were filed before the effective date of the moratorium or interim zoning control.

## -- 2002 REGULAR SESSION --

Feb 8 ET - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6513-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Kastama, Long and Johnson)

Authorizing service of summons for persons not found in this state.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes service of summons for persons not found in this state.

#### -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

SB 6533-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser, Eide, McAuliffe, Keiser and Kohl-Welles)

Reducing the release of mercury into the environment.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that no later than one year after the effective date of this act, every manufacturer of thermometers and commercial or residential, but not industrial, thermostats that contain mercury and that have been or may be offered for sale or distributed for sale or use in this state must ensure that these products are properly collected, transported, and recycled.

Provides that no mercury-added product manufactured after the effective date of this act may be sold, offered for final sale, or distributed for sale or use in the state unless both the product and its packaging are labeled in accordance with this act and any adopted rules.

Declares that a person may not knowingly dispose of mercury-added products in any manner other than by recycling the product or disposing of the product as hazardous waste.

Declares that no person may sell, offer for sale, or distribute for sale or use in this state a mercury-added product unless the manufacturer of the product, or its industry trade group, provides notice to the director in writing of the manufacturer's intent to sell, offer for sale, or distribute the product.

Provides that no person may sell, offer for sale, or distribute for sale or use in this state a mercury-added novelty.

Declares that no school may purchase for use in a primary or secondary classroom bulk elemental or chemical mercury or bulk mercury compounds.

Provides that, no later than January 1, 2003, the department, in consultation with the Washington hospital association and other interested and affected parties, must develop plans for mercury purchase and use at health care facilities.

Requires the department to develop a plan and proposed budget for a comprehensive public education, outreach, and assistance program for households, hazardous waste generators, municipalities, solid waste management districts, small businesses, health care facilities, scrap metal facilities, dismantlers, institutions of higher education, schools, and other interested groups.

Requires the department to review the effectiveness of this act and provide a report based upon that review to the governor and the legislature by December 1, 2006. The report must review the effectiveness of the programs required under this act and recommend ways to improve the programs.

Declares that a violation of this act or any rule adopted under this act is punishable by a civil penalty not to exceed one thousand dollars for each violation in the case of a first violation. Repeat violators are liable for a civil penalty not to exceed five thousand dollars for each repeat violation. Penalties collected under this act must be deposited in the state toxics control account created under RCW 70.105D.070.

#### -- 2002 REGULAR SESSION --

Feb 8 EEW - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; do not pass.

Referred to Ways & Means.

Feb 12 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 6547-S by Senate Committee on Transportation (originally sponsored by Senators Haugen,

Johnson, Eide, Horn, Spanel, Gardner, Benton, Winsley, Hale, Regala and Hewitt)

Shifting approval of driver training schools from the superintendent of public instruction to the department of licensing.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Shifts approval of driver training schools from the superintendent of public instruction to the department of licensing.

Requires persons instructing students under eighteen years of age to have a background check through the Washington state patrol criminal identification system and through the federal bureau of investigation. The background check shall also include a fingerprint check using a fingerprint card.

Provides that the cost of the background check shall be paid by the instructor.

Authorizes the department to waive the background check for any applicant who has had a background check within two years before applying to become an instructor.

## -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6548-S by Senate Committee on Transportation (originally sponsored by Senators Kastama, Oke, Rasmussen and Gardner)

Allowing advertising on bus shelters.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that local transit authority bus shelters within the right of way of the state highway system may display and maintain commercial advertisements subject to applicable federal regulations, if any. Pursuant to RCW 47.12.120, the department shall lease state right of way air space to local transit authorities for this purpose, unless there are significant safety concerns regarding the placement of certain advertisements.

Provides that advertisements posted on a local transit authority's bus shelter may not exceed twenty-four square feet on each side of the panel. One back-to-back panel is allowed on the downstream side of the shelter.

#### -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Made eligible to be placed on second reading.

SB 6619-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Poulsen, Jacobsen, Fraser, Morton, Regala and Kline)

Establishing the Washington climate and rural energy development center.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the establishment of the Washington climate and rural energy development center in the Washington State University energy program to serve as a central, nonregulatory clearinghouse of credible and reliable information addressing various aspects of climate change and clean energy activities.

Provides that the center shall be funded through grants, voluntary cash and in-kind contributions.

Authorizes the center to establish task forces and technical advisory committees composed of state and local agencies, businesses, labor groups, timber industry groups, agricultural groups, nonprofit organizations, university and college programs, and interested groups and citizens as necessary to assist in the duties in this act.

#### -- 2002 REGULAR SESSION --

Feb 8 EEW - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Feb 11 Made eligible to be placed on second reading.

Feb 12 Placed on second reading by Rules Committee.

SB 6629-S by Senate Committee on Human Services & Corrections (originally sponsored by Senators Sheahan, T. Sheldon, Jacobsen, Oke, Hargrove, Swecker, Rasmussen, Honeyford, Shin and Winsley)

Requiring the administrator for the courts to create a family law handbook.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that: (1) Strong marital relationships result in stronger families, children, and ultimately, stronger communities and place less of a fiscal burden on the state; and

(2) The state has a compelling interest in providing couples, applying for a marriage license, information with regard to marriage and, if contemplated, the effects of divorce.

#### -- 2002 REGULAR SESSION --

Feb 8 HSC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 12 Made eligible to be placed on second reading.

SB 6670-S by Senate Committee on Judiciary (originally sponsored by Senators Fairley and Kohl-Welles)

Clarifying who may be a beneficiary in a wrongful death action.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to respond to the case of *Schumacher v. Williams* (45365-3-1 August 6, 2001) and clarify that the right of a person to recover for the wrongful death of a family member is not contingent upon the showing that the survivor was financially dependent upon the decedent.

## -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6684-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Finkbeiner and Thibaudeau)

Changing provisions relating to specifying the number of district court judicial positions.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 3.34.010 relating to specifying the number of district court judicial positions.

Decreases the number of district court judges from twenty-six to twenty-three.

Provides that the district judges holding office on the effective date of this act shall serve the remainder of their terms, and any reduction in the number of district judges required by section 1, chapter . . ., Laws of 2002 (this act) shall occur upon the expiration of their terms.

## -- 2002 REGULAR SESSION --

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
Passed to Rules Committee for second reading.

SB 6748-S by Senate Committee on Transportation (originally sponsored by Senators Kline, Oke, Swecker and Haugen)

Revising vehicle impound and transfer procedures.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, by January 1, 2003, the department shall create a system enabling the seller of a vehicle to transmit the report of sale electronically. The system created by the department must immediately indicate on the department's vehicle record that a seller's report of sale has been filed.

Declares that when a registered tow truck operator submits an abandoned vehicle report to the department for a vehicle sold at public auction, any previous owner is relieved of civil or criminal liability for the operation of the vehicle, and liability is transferred to the purchaser of the vehicle as listed on the abandoned vehicle report.

Directs the Washington state patrol and local law enforcement agencies to convene a task force to consider the advantages and disadvantages of law enforcement agencies immediately transmitting, electronically or by facsimile, the impound authorization form to the impounding tow operator. The task force shall report its findings and recommendations to the house of representatives and senate transportation committees by January 1, 2003.

Requires the department of licensing to study the feasibility of requiring the seller of a vehicle to remove the vehicle's license plates at the time of the sale. The department shall specifically examine the fiscal impact of implementing this proposal, the experiences of other states, and the advantages and disadvantages of this proposal. The department shall report its findings and recommendations to the house of representatives and senate transportation committees by January 1, 2003.

## -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 6751-S by Senate Committee on Transportation (originally sponsored by Senators Horn

and Costa)

Regulating motorized foot scooters.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to the regulation of motorized foot scooters.

#### -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Made eligible to be placed on second reading.

#### **Senate Concurrent Resolutions**

## SCR 8431 by Senator Honeyford

Modifying districts fifteen and eighteen in the plan for legislative redistricting.

Revises districts fifteen and eighteen in the plan for legislative redistricting.

## -- 2002 REGULAR SESSION --

Feb 13 First reading, referred to State & Local Government.

	SI	ENATE		HOUSE	
SB 6246 Supp.	1	SB 6298 Supp.	1	HB 2300 Supp. 1 HB 2350 Supp. 2	2
SB 6247 Supp.	1	SB 6299 Supp.	2	HB 2301 Supp. 1 HB 2351 Supp. 2	
SB 6248 Supp.	1	SB 6300 Supp.	2	HB 2301-S Supp. 8 HB 2352 Supp. 2	
SB 6248-S Supp. SB 6249 Supp.		SB 6300-S Supp. 1 SB 6301 Supp.	2	HB 2302 Supp. 1 HB 2353 Supp. 2 HB 2303 Supp. 1 HB 2353-S Supp. 15	
SB 6249-S Supp.		SB 6301-S Supp. 1		HB 2304 Supp. 1 HB 2354 Supp. 2	
SB 6250 Supp.	1	SB 6302 Supp.	2	HB 2304-S Supp. 5 HB 2355 Supp. 2	
SB 6251 Supp. SB 6252 Supp.	1 1	SB 6303 Supp. SB 6304 Supp.	2 2	HB 2305 Supp. 1 HB 2355-S Supp. 22 HB 2305-S Supp. 22 HB 2356 Supp. 2	
SB 6253 Supp.	1	SB 6305 Supp.	2	HB 2306 Supp. 1 HB 2356-S Supp. 18	
**		SB 6306 Supp.	2	HB 2307 Supp. 1 HB 2357 Supp. 2	
SB 6254-S Supp.		SB 6307 Supp.	2 2	HB 2307-S Supp. 15 HB 2357-S Supp. 17	
SB 6255 Supp. SB 6255-S Supp.		SB 6308 Supp. SB 6309 Supp.	2	HB 2307-S2	
SB 6256 Supp.	1	SB 6310 Supp.	2	HB 2308-S Supp. 8 HB 2359-S Supp. 13	
SB 6257 Supp.	1	SB 6311 Supp.	2	HB 2309 Supp. 1 HB 2360 Supp. 3	_
SB 6257-S Supp. SB 6258 Supp.	1	SB 6312 Supp. SB 6313 Supp.	2 2	HB 2309-S Supp. 11 HB 2361 Supp. 3 HB 2310 Supp. 1 HB 2362 Supp. 3	-
SB 6259 Supp.	1	SB 6313-S Supp. 1		HB 2311 Supp. 1 HB 2363 Supp. 3	_
SB 6260 Supp.	1	SB 6314 Supp.	2	HB 2311-S Supp. 11 HB 2364 Supp. 3	
SB 6261 Supp. SB 6262 Supp.	1	SB 6315 Supp. SB 6316 Supp.	$\frac{2}{2}$	HB 2312 Supp. 1 HB 2364-S Supp. 17 HB 2312-S Supp. 11 HB 2365 Supp. 3	_
	1	SB 6316-S Supp. 1		HB 2313 Supp. 1 HB 2366 Supp. 3	_
SB 6263-S Supp.		SB 6317 Supp.	2	HB 2314 Supp. 1 HB 2367 Supp. 3	
SB 6264 Supp.		SB 6318 Supp. SB 6318-S Supp. 1	2	HB 2315 Supp. 1 HB 2368 Supp. 3 HB 2315-S Supp. 11 HB 2369 Supp. 3	
SB 6264-S Supp. SB 6265 Supp.		SB 6319 Supp. 1	2	HB 2315-S Supp. 11 HB 2369 Supp. 3 HB 2316 Supp. 1 HB 2370 Supp. 3	
SB 6265-S Supp.	17	SB 6320 Supp.	2	HB 2317 Supp. 1 HB 2371 Supp. 3	
SB 6266 Supp.		SB 6320-S Supp. 1		HB 2318 Supp. 1 HB 2372 Supp. 3	
SB 6267 Supp. SB 6267-S Supp.	1 19	SB 6321 Supp. SB 6322 Supp.	2 2	HB 2319 Supp. 1 HB 2373 Supp. 3 HB 2320 Supp. 1 HB 2374 Supp. 3	_
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SB 6268-S Supp.		SB 6324 Supp.	2	HB 2322 Supp. 1 HB 2376 Supp. 3	
SB 6269 Supp. SB 6270 Supp.		SB 6325 Supp. SB 6326 Supp.	2 2	HB 2322-S Supp. 11 HB 2376-S Supp. 20 HB 2323 Supp. 1 HB 2377 Supp. 3	_
SB 6270-S Supp.		SB 6326-S Supp. 1		HB 2323-S Supp. 20 HB 2378 Supp. 3	_
SB 6271 Supp.		SB 6327 Supp.	2	HB 2324 Supp. 1 HB 2378-S Supp. 18	
SB 6272 Supp. SB 6273 Supp.	1	SB 6328 Supp. SB 6329 Supp.	2 2	HB 2324-S Supp. 22 HB 2379 Supp. 3 HB 2325 Supp. 1 HB 2379-S Supp. 20	
SB 6274 Supp.	1	SB 6330 Supp.	2	HB 2325-S Supp. 17 HB 2380 Supp. 3	
11	1	SB 6331 Supp.	2	HB 2326 Supp. 1 HB 2381 Supp. 3	
	1 1	SB 6331-S Supp. 1 SB 6332 Supp.	2	HB 2327 Supp. 1 HB 2381-S Supp. 19 HB 2328 Supp. 1 HB 2382 Supp. 3	
SB 6278 Supp.	1	SB 6333 Supp.	2	HB 2329 Supp. 1 HB 2382-S Supp. 20	
SB 6278-S Supp.		SB 6334 Supp.	2	HB 2330 Supp. 2 HB 2383 Supp. 3	
SB 6279 Supp. SB 6279-S Supp.		SB 6335 Supp. SB 6336 Supp.	2	HB 2330-S Supp. 15 HB 2384 Supp. 3 HB 2331 Supp. 2 HB 2385 Supp. 3	
		SB 6337 Supp.	3	HB 2332 Supp. 2 HB 2385-S Supp. 13	
SB 6281 Supp.	1	SB 6337-S Supp. 2	_	HB 2333 Supp. 2 HB 2386 Supp. 3	3
SB 6282 Supp.		SB 6338 Supp. SB 6339 Supp.	3	HB 2333-S Supp. 13 HB 2387 Supp. 3 HB 2334 Supp. 2 HB 2388 Supp. 3	_
SB 6282-S Supp. SB 6283 Supp.		SB 6340 Supp.	3	HB 2334 Supp. 2 HB 2388 Supp. 3 HB 2335 Supp. 2 HB 2389 Supp. 3	_
SB 6284 Supp.	1	SB 6341 Supp.	3	HB 2335-S Supp. 21 HB 2390 Supp. 3	_
SB 6284-S Supp.		SB 6342 Supp.	3	HB 2336 Supp. 2 HB 2391 Supp. 3	_
SB 6285 Supp. SB 6285-S Supp.		SB 6342-S Supp. 1 SB 6343 Supp.	3	HB 2337 Supp. 2 HB 2392 Supp. 3 HB 2337-S Supp. 19 HB 2393 Supp. 3	_
SB 6286 Supp.		SB 6343-S Supp. 2		HB 2338 Supp. 2 HB 2394 Supp. 3	_
SB 6286-S Supp.		SB 6344 Supp.	3	HB 2338-S Supp. 11 HB 2395 Supp. 3	-
SB 6287 Supp. SB 6288 Supp.		SB 6345 Supp. SB 6346 Supp.	3	HB 2339 Supp. 2 HB 2396 Supp. 3 HB 2340 Supp. 2 HB 2397 Supp. 3	-
SB 6288-S Supp.		SB 6347 Supp.	3	HB 2341 Supp. 2 HB 2398 Supp. 3	_
SB 6289 Supp.		SB 6348 Supp.	3	HB 2341-S Supp. 10 HB 2398-S Supp. 16	_
SB 6289-S Supp. SB 6290 Supp.		SB 6349 Supp. SB 6350 Supp.	3	HB 2342 Supp. 2 HB 2399 Supp. 3 HB 2343 Supp. 2 HB 2400 Supp. 3	_
SB 6291 Supp.	1	SB 6350-S Supp. 1		HB 2344 Supp. 2 HB 2400 Supp. 11	
SB 6292 Supp.	1	SB 6351 Supp.	3	HB 2345 Supp. 2 HB 2401 Supp. 3	3
SB 6293 Supp.	1	SB 6351-S Supp. 1	19 3	HB 2346 Supp. 2 HB 2402 Supp. 3	_
SB 6294 Supp. SB 6294-S Supp.		SB 6352 Supp. SB 6353 Supp.	3	HB 2346-S Supp. 16 HB 2403 Supp. 3 HB 2347 Supp. 2 HB 2403-S Supp. 14	
	1	SB 6353-S Supp. 1		HB 2347-S Supp. 15 HB 2404 Supp. 3	_
SB 6296 Supp.	1	SB 6354 Supp.	3	HB 2348 Supp. 2 HB 2405 Supp. 3	_
SB 6297 Supp.	1	SB 6355 Supp.	3	HB 2349 Supp. 2 HB 2406 Supp. 3	3

	SI	ENATE		HOU	SE
SB 6355-S Supp.	20	SB 6410 Supp.		HB 2406-S Supp. 16	6 HB 2461 Supp. 4
SB 6356 Supp.		SB 6411 Supp.		HB 2407 Supp. 3	
SB 6356-S Supp. SB 6357 Supp.	3	SB 6412 Supp. SB 6412-S Supp.		HB 2408 Supp. 3 HB 2409 Supp. 3	
SB 6358 Supp.	3	SB 6413 Supp.	. 3	HB 2410 Supp. 3	B HB 2465 Supp. 4
11	3	SB 6414 Supp.		HB 2411 Supp. 3	
SB 6359-S Supp. SB 6360 Supp.	18	SB 6414-S Supp. SB 6415 Supp.		HB 2412 Supp. 3 HB 2412-S Supp. 20	
SB 6361 Supp.	3	SB 6415-S Supp.		HB 2413 Supp. 3	B HB 2468-S Supp. 19
SB 6361-S Supp.		SB 6416 Supp.		HB 2413-S Supp. 17	
SB 6362 Supp. SB 6362-S Supp.		SB 6417 Supp. SB 6418 Supp.		HB 2414 Supp. 3 HB 2414-S Supp. 19	
SB 6363 Supp.		SB 6419 Supp.	. 4	HB 2415 Supp. 3	**
11	3	SB 6420 Supp.		HB 2415-S Supp. 19	
SB 6364-S Supp. SB 6365 Supp.	3	SB 6421 Supp. SB 6422 Supp.		HB 2416 Supp. 3 HB 2416-S Supp. 10	
SB 6366 Supp.	3	SB 6422-S Supp.	. 19	HB 2417 Supp. 3	
SB 6367 Supp.	3	SB 6423 Supp.		HB 2418 Supp. 3	
SB 6368 Supp. SB 6368-S Supp.	3 21	SB 6424 Supp. SB 6424-S Supp.		HB 2419 Supp. 3 HB 2420 Supp. 3	
	3	SB 6425 Supp.		HB 2421 Supp. 3	
SB 6369-S Supp.	_	SB 6426 Supp.		HB 2422 Supp. 3	
	3	SB 6426-S Supp. SB 6427 Supp.		HB 2423 Supp. 3 HB 2424 Supp. 3	
SB 6371-S Supp.		SB 6428 Supp.	. 4	HB 2425 Supp. 3	B HB 2482 Supp. 5
SB 6372 Supp. SB 6373 Supp.	3	SB 6429 Supp. SB 6430 Supp.		HB 2426 Supp. 3 HB 2426-S Supp. 1	11
SB 6374 Supp.	3	SB 6431 Supp.		HB 2427 Supp. 1	
SB 6375 Supp.	3	SB 6431-S Supp.	. 18	HB 2427-S Supp. 20	
SB 6376 Supp. SB 6377 Supp.	3	SB 6432 Supp. SB 6433 Supp.		HB 2428 Supp. 3 HB 2429 Supp. 3	11
SB 6378 Supp.	3	SB 6434 Supp.		HB 2430 Supp. 3	
SB 6379 Supp.	3	SB 6435 Supp.		HB 2430-S Supp. 22	
SB 6380 Supp. SB 6381 Supp.	3	SB 6436 Supp. SB 6437 Supp.		HB 2431 Supp. 3 HB 2431-S Supp. 19	
SB 6382 Supp.	3	SB 6438 Supp.		HB 2431-S2 Supp. 22	
SB 6383 Supp.	3	SB 6439 Supp.		HB 2432 Supp. 3	
SB 6384 Supp. SB 6385 Supp.	3	SB 6439-S Supp. SB 6440 Supp.		HB 2433 Supp. 3 HB 2434 Supp. 3	11
SB 6386 Supp.	3	SB 6440-S Supp.	. 17	HB 2435 Supp. 4	HB 2495 Supp. 5
SB 6387 Supp. SB 6388 Supp.	3	SB 6441 Supp. SB 6442 Supp.		HB 2435-S Supp. 10 HB 2436 Supp. 4	11
SB 6389 Supp.	3	SB 6443 Supp.		HB 2437 Supp.	
SB 6389-S Supp.		SB 6444 Supp.		HB 2437-S Supp. 19	11
SB 6390 Supp. SB 6391 Supp.	3	SB 6444-S Supp. SB 6445 Supp.		HB 2438 Supp. 4 HB 2439 Supp. 4	
SB 6392 Supp.	3	SB 6445-S Supp.		HB 2439-S Supp. 20	
SB 6393 Supp.	3	SB 6446 Supp.		HB 2440 Supp. 4	
SB 6393-S Supp. SB 6394 Supp.	3	SB 6447 Supp. SB 6447-S Supp.		HB 2441 Supp. 4 HB 2441-S Supp. 17	
SB 6395 Supp.	3	SB 6448 Supp.	. 4	HB 2442 Supp. 4	HB 2505 Supp. 5
SB 6396 Supp. SB 6397 Supp.	3	SB 6449 Supp. SB 6449-S Supp.		HB 2443 Supp. 4 HB 2444 Supp. 4	TTD 0505
SB 6398 Supp.	3	SB 6450 Supp.		HB 2445 Supp. 4	
	3	SB 6450-S Supp.		HB 2445-S Supp. 2	
SB 6399-S Supp. SB 6400 Supp.		SB 6451 Supp. SB 6452 Supp.		HB 2446 Supp. 4 HB 2446-S Supp. 17	
SB 6400-S Supp.		SB 6453 Supp.		HB 2447 Supp. 4	
SB 6401 Supp.		SB 6454 Supp.		HB 2448 Supp. 4	
SB 6402 Supp. SB 6402-S Supp.		SB 6455 Supp. SB 6456 Supp.		HB 2449 Supp. 4 HB 2450 Supp. 4	
SB 6403 Supp.	3	SB 6457 Supp.	. 4	HB 2451 Supp. 4	HB 2511-S2 Supp. 22
SB 6403-S Supp.	_	SB 6458 Supp.		HB 2452 Supp. 4 HB 2453 Supp. 4	
SB 6404 Supp. SB 6404-S Supp.		SB 6459 Supp. SB 6460 Supp.		HB 2453 Supp. 4 HB 2454 Supp. 4	
SB 6405 Supp.	3	SB 6461 Supp.	. 4	HB 2455 Supp. 4	HB 2514 Supp. 5
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SB 6407-S Supp.		SB 6463 Supp.		HB 2457 Supp. 4	
SB 6408 Supp.	3	SB 6463-S Supp.	. 13	HB 2458 Supp. 4	HB 2517 Supp. 5
SB 6409 Supp. SB 6409-S Supp.	3 18	SB 6464 Supp. SB 6465 Supp.		HB 2459 Supp. 4	HB 2518 Supp. 5 HB 2518-S Supp. 18
22 0 10 / В вирр.	10	52 0 105 Бирр.		112 2 100	. 112 2010 В Вирр. 16

S	ENATE	HOUS	E
SB 6466 Supp. 4	SB 6524 Supp. 6	HB 2519 Supp. 5	HB 2577 Supp. 7
SB 6467 Supp. 4	SB 6524-S Supp. 20	HB 2520 Supp. 5	HB 2577-S Supp. 19
SB 6468 Supp. 4	SB 6525 Supp. 6	HB 2521 Supp. 5	HB 2578 Supp. 7
SB 6468-S Supp. 20	SB 6526 Supp. 6	HB 2522 Supp. 6	HB 2578-S Supp. 18
SB 6469 Supp. 4 SB 6470 Supp. 4	SB 6527 Supp. 6 SB 6528 Supp. 6	HB 2522-S Supp. 21	HB 2579 Supp. 7
SB 6470 Supp. 4 SB 6471 Supp. 4	SB 6528 Supp. 6 SB 6528-S Supp. 20	HB 2523 Supp. 6 HB 2524 Supp. 6	HB 2580 Supp. 7 HB 2581 Supp. 7
SB 6472 Supp. 4	SB 6529 Supp. 6	HB 2525 Supp. 6	HB 2582 Supp. 7
SB 6472-S Supp. 20	SB 6530 Supp. 6	HB 2526 Supp. 6	HB 2583 Supp. 7
SB 6473 Supp. 4	SB 6531 Supp. 6	HB 2527 Supp. 6	HB 2584 Supp. 7 HB 2585 Supp. 7
SB 6473-S Supp. 21 SB 6474 Supp. 5	SB 6531-S Supp. 11 SB 6532 Supp. 6	HB 2528 Supp. 6 HB 2529 Supp. 6	HB 2585 Supp. 7 HB 2586 Supp. 7
SB 6474-S Supp. 20	SB 6532-S Supp. 20	HB 2530 Supp. 6	HB 2587 Supp. 7
SB 6475 Supp. 5	SB 6533 Supp. 6	HB 2531 Supp. 6	HB 2588 Supp. 7
SB 6476 Supp. 5 SB 6477 Supp. 5	SB 6534 Supp. 6 SB 6534-S Supp. 18	HB 2532 Supp. 6 HB 2532-S Supp. 21	HB 2589 Supp. 7 HB 2589-S Supp. 22
SB 6477 Supp. 5 SB 6477-S Supp. 19	SB 6535 Supp. 6	HB 2533 Supp. 6	HB 2590 Supp. 7
SB 6478 Supp. 5	SB 6535-S Supp. 20	HB 2534 Supp. 6	HB 2590-S Supp. 22
SB 6478-S Supp. 20	SB 6536 Supp. 6	HB 2534-S Supp. 20	HB 2591 Supp. 7
SB 6479 Supp. 5 SB 6480 Supp. 5	SB 6536-S Supp. 21	HB 2535 Supp. 6	HB 2591-S Supp. 20 HB 2592 Supp. 7
SB 6481 Supp. 5	SB 6537 Supp. 6 SB 6537-S Supp. 21	HB 2536 Supp. 6 HB 2537 Supp. 6	HB 2592-S Supp. 19
SB 6481-S Supp. 21	SB 6538 Supp. 6	HB 2538 Supp. 6	HB 2593 Supp. 7
SB 6482 Supp. 5	SB 6539 Supp. 6	HB 2539 Supp. 6	HB 2594 Supp. 7
SB 6483 Supp. 5	SB 6540 Supp. 6	HB 2540 Supp. 6	HB 2595 Supp. 7 HB 2596 Supp. 7
SB 6484 Supp. 5 SB 6485 Supp. 5	SB 6541 Supp. 6 SB 6542 Supp. 6	HB 2540-S Supp. 20 HB 2541 Supp. 6	HB 2596 Supp. 7 HB 2597 Supp. 7
SB 6486 Supp. 5	SB 6543 Supp. 6	HB 2541-S Supp. 19	HB 2598 Supp. 7
SB 6487 Supp. 5	SB 6544 Supp. 6	HB 2542 Supp. 6	HB 2599 Supp. 7
SB 6488 Supp. 5	SB 6545 Supp. 6	HB 2542-S Supp. 21	HB 2600 Supp. 7
SB 6488-S Supp. 21 SB 6489 Supp. 5	SB 6546 Supp. 6 SB 6547 Supp. 6	HB 2543 Supp. 6 HB 2544 Supp. 6	HB 2601 Supp. 7 HB 2601-S Supp. 22
SB 6490 Supp. 5	SB 6548 Supp. 6	HB 2544-S Supp. 22	HB 2602 Supp. 7
SB 6491 Supp. 5	SB 6549 Supp. 6	HB 2545 Supp. 6	HB 2603 Supp. 7
SB 6492 Supp. 5 SB 6493 Supp. 5	SB 6550 Supp. 6 SB 6551 Supp. 6	HB 2546 Supp. 6 HB 2547 Supp. 6	HB 2604 Supp. 7 HB 2605 Supp. 7
SB 6494 Supp. 5	SB 6552 Supp. 6	HB 2548 Supp. 6	HB 2606 Supp. 7
SB 6495 Supp. 5	SB 6553 Supp. 6	HB 2549 Supp. 6	HB 2607 Supp. 7
SB 6495-S Supp. 18 SB 6496 Supp. 5	SB 6553-S Supp. 18 SB 6554 Supp. 6	HB 2550 Supp. 6 HB 2551 Supp. 6	HB 2608 Supp. 7 HB 2609 Supp. 7
SB 6497 Supp. 5	SB 6555 Supp. 6	HB 2552 Supp. 6	HB 2610 Supp. 7
SB 6498 Supp. 5	SB 6556 Supp. 6	HB 2553 Supp. 6	HB 2611 Supp. 7
SB 6499 Supp. 5 SB 6499-S Supp. 21	SB 6557 Supp. 6	HB 2554 Supp. 6 HB 2555 Supp. 6	HB 2611-S Supp. 21
SB 6500 Supp. 5	SB 6558 Supp. 6 SB 6558-S Supp. 21	HB 2555 Supp. 6 HB 2556 Supp. 6	HB 2612 Supp. 7 HB 2613 Supp. 7
SB 6501 Supp. 5	SB 6559 Supp. 6	HB 2557 Supp. 6	HB 2614 Supp. 7
SB 6501-S Supp. 20	SB 6560 Supp. 6	HB 2557-S Supp. 14	HB 2615 Supp. 7
SB 6502 Supp. 5 SB 6503 Supp. 5	SB 6560-S Supp. 19 SB 6561 Supp. 6	HB 2558 Supp. 6 HB 2559 Supp. 6	HB 2617 Supp. 7
SB 6504 Supp. 5	SB 6561 Supp. 6 SB 6562 Supp. 6	HB 2560 Supp. 6	HB 2617 Supp. 7 HB 2617-S Supp. 20
SB 6504-S Supp. 20	SB 6563 Supp. 6	HB 2560-S Supp. 22	HB 2618 Supp. 7
SB 6505 Supp. 5	SB 6564 Supp. 6	HB 2561 Supp. 6	HB 2618-S Supp. 22
SB 6506 Supp. 5 SB 6507 Supp. 5	SB 6565 Supp. 6 SB 6566 Supp. 6	HB 2562 Supp. 6 HB 2563 Supp. 6	HB 2619 Supp. 7 HB 2620 Supp. 7
SB 6508 Supp. 5	SB 6567 Supp. 6	HB 2563-S Supp. 22	HB 2621 Supp. 8
SB 6509 Supp. 5	SB 6568 Supp. 6	HB 2564 Supp. 6	HB 2622 Supp. 8
SB 6510 Supp. 5	SB 6568-S Supp. 19	HB 2565 Supp. 6	HB 2622-S Supp. 21
SB 6511 Supp. 5 SB 6512 Supp. 5	SB 6569 Supp. 6 SB 6570 Supp. 7	HB 2566 Supp. 6 HB 2566-S Supp. 17	HB 2623 Supp. 8 HB 2624 Supp. 8
SB 6513 Supp. 5	SB 6570-S Supp. 20	HB 2567 Supp. 7	HB 2624-S Supp. 22
SB 6514 Supp. 5	SB 6571 Supp. 7	HB 2568 Supp. 7	HB 2625 Supp. 8
SB 6515 Supp. 17	SB 6572 S Supp. 7	HB 2568-S Supp. 20	HB 2626 S Supp. 8
SB 6515-S Supp. 17 SB 6516 Supp. 6	SB 6572-S Supp. 22 SB 6573 Supp. 7	HB 2569 Supp. 7 HB 2570 Supp. 7	HB 2626-S Supp. 20 HB 2627 Supp. 8
SB 6517 Supp. 6	SB 6574 Supp. 7	HB 2571 Supp. 7	HB 2628 Supp. 8
SB 6518 Supp. 6	SB 6575 Supp. 7	HB 2572 Supp. 7	HB 2628-S Supp. 19
SB 6519 Supp. 6	SB 6575-S Supp. 20	HB 2573 Supp. 7	HB 2629 Supp. 8
SB 6520 Supp. 6 SB 6521 Supp. 6	SB 6576 Supp. 7 SB 6576-S Supp. 21	HB 2574 Supp. 7 HB 2574-S Supp. 18	HB 2630 Supp. 8 HB 2630-S Supp. 22
SB 6522 Supp. 6	SB 6577 Supp. 7	HB 2575 Supp. 7	HB 2631 Supp. 8
SB 6523 Supp. 6	SB 6578 Supp. 7	HB 2576 Supp. 7	HB 2632 Supp. 8
SB 6523-S Supp. 20	SB 6579 Supp. 7	HB 2576-S Supp. 19	HB 2633 Supp. 8

;	SENATE	HOUSE
SB 6580 Supp.	7 SB 6640 Supp. 8	HB 2634 Supp. 8 HB 2695 Supp. 9
	7 SB 6640-S Supp. 20	HB 2635 Supp. 8 HB 2696 Supp. 9
**	7 SB 6641 Supp. 8	HB 2635-S Supp. 21 HB 2697 Supp. 9
	7 SB 6641-S Supp. 20 7 SB 6642 Supp. 8	HB 2636 Supp. 8 HB 2697-S Supp. 20 HB 2637 Supp. 8 HB 2698 Supp. 9
	7 SB 6643 Supp. 8	HB 2637-S Supp. 17 HB 2698-S Supp. 21
SB 6586 Supp.		HB 2638 Supp. 8 HB 2699 Supp. 9
SB 6587 Supp.	1.1	HB 2639 Supp. 8 HB 2699-S Supp. 21
SB 6588 Supp. SB 6588-S Supp. 1		HB 2640 Supp. 8 HB 2700 Supp. 9 HB 2641 Supp. 8 HB 2701 Supp. 9
SB 6589 Supp.	**	HB 2642 Supp. 8 HB 2702 Supp. 9
SB 6589-S Supp. 2		HB 2643 Supp. 8 HB 2702-S Supp. 21
SB 6590 Supp.		HB 2644 Supp. 8 HB 2703 Supp. 9
SB 6590-S Supp. 2 SB 6591 Supp.		HB 2645 Supp. 8 HB 2704 Supp. 9 HB 2646 Supp. 8 HB 2705 Supp. 9
SB 6592 Supp.		HB 2647 Supp. 8 HB 2706 Supp. 9
	7 SB 6650-S Supp. 21	HB 2648 Supp. 8 HB 2707 Supp. 9
SB 6594 Supp.		HB 2649 Supp. 8 HB 2707-S Supp. 22
SB 6594-S Supp. 2 SB 6595 Supp.		HB 2650 Supp. 8 HB 2708 Supp. 9 HB 2651 Supp. 8 HB 2709 Supp. 9
	7 SB 6654 Supp. 9	HB 2652 Supp. 8 HB 2710 Supp. 9
SB 6597 Supp.	11	HB 2653 Supp. 8 HB 2711 Supp. 9
SB 6597-S Supp. 2 SB 6598 Supp.	_ ~	HB 2654 Supp. 8 HB 2712 Supp. 9
SB 6598 Supp. SB 6598-S Supp. 2	11	HB 2655 Supp. 8 HB 2713 Supp. 9 HB 2656 Supp. 8 HB 2714 Supp. 9
SB 6599 Supp.		HB 2657 Supp. 8 HB 2715 Supp. 9
SB 6600 Supp.	1.1	HB 2658 Supp. 8 HB 2716 Supp. 9
SB 6600-S Supp. 1 SB 6601 Supp.		HB 2659 Supp. 8 HB 2717 Supp. 9 HB 2660 Supp. 8 HB 2718 Supp. 9
SB 6602 Supp.		HB 2661 Supp. 8 HB 2719 Supp. 9
SB 6602-S Supp. 2	SB 6662 Supp. 9	HB 2662 Supp. 8 HB 2720 Supp. 9
SB 6604 Supp.	1.1	HB 2662-S Supp. 22 HB 2721 Supp. 9
**	8 SB 6664 Supp. 9 8 SB 6665 Supp. 9	HB 2663 Supp. 8 HB 2722 Supp. 10 HB 2664 Supp. 8 HB 2723 Supp. 10
	8 SB 6665-S Supp. 20	HB 2665 Supp. 8 HB 2724 Supp. 10
11	S SB 6666 Supp. 10	HB 2666 Supp. 8 HB 2725 Supp. 10
**	8 SB 6667 Supp. 10 8 SB 6668 Supp. 10	HB 2666-S Supp. 21 HB 2726 Supp. 10 HB 2667 Supp. 8 HB 2727 Supp. 10
	8 SB 6669 Supp. 10	HB 2668 Supp. 8 HB 2728 Supp. 10
1.1	S SB 6670 Supp. 10	HB 2669 Supp. 8 HB 2729 Supp. 10
**	8 SB 6671 Supp. 10 8 SB 6672 Supp. 10	HB 2670 Supp. 8 HB 2730 Supp. 10 HB 2671 Supp. 8 HB 2731 Supp. 10
	8 SB 6673 Supp. 10	HB 2671-S Supp. 22 HB 2732 Supp. 10
**	8 SB 6674 Supp. 10	HB 2672 Supp. 8 HB 2733 Supp. 10
**	8 SB 6675 Supp. 10 8 SB 6676 Supp. 10	HB 2673
	8 SB 6677 Supp. 10	HB 2674 Supp. 8 HB 2735 Supp. 10
1.1	8 SB 6678 Supp. 10	HB 2675 Supp. 8 HB 2735-S Supp. 22
	SB 6679 Supp. 10 SB 6680 Supp. 10	HB 2676 Supp. 8 HB 2736 Supp. 10 HB 2677 Supp. 8 HB 2737 Supp. 10
	8 SB 6681 Supp. 10	HB 2678 Supp. 8 HB 2738 Supp. 10
SB 6623 Supp.	8 SB 6682 Supp. 11	HB 2679 Supp. 8 HB 2739 Supp. 10
	S SB 6684 Supp. 11	HB 2680 Supp. 8 HB 2740 Supp. 10 HB 2681 Supp. 8 HB 2741 Supp. 10
SB 6625 Supp. SB 6625-S Supp. 2	11	HB 2681 Supp. 8 HB 2741 Supp. 10 HB 2682 Supp. 8 HB 2741-S Supp. 21
SB 6626 Supp.	8 SB 6686 Supp. 11	HB 2682-S Supp. 22 HB 2742 Supp. 10
SB 6626-S Supp. 1		HB 2683 Supp. 8 HB 2743 Supp. 10
SB 6627 Supp. SB 6628 Supp.		HB 2684 Supp. 8 HB 2744 Supp. 10 HB 2684-S Supp. 20 HB 2745 Supp. 10
	8 SB 6690 Supp. 11	HB 2685 Supp. 8 HB 2746 Supp. 10
1.1	8 SB 6691 Supp. 11	HB 2686 Supp. 8 HB 2747 Supp. 10
1.1	8 SB 6692 Supp. 11 8 SB 6693 Supp. 11	HB 2686-S Supp. 22 HB 2748 Supp. 10
	8 SB 6693 Supp. 11 8 SB 6694 Supp. 11	HB 2687 Supp. 8 HB 2749 Supp. 10 HB 2688 Supp. 8 HB 2750 Supp. 10
SB 6634 Supp.		HB 2688-S Supp. 21 HB 2751 Supp. 10
SB 6635 Supp.		HB 2689 Supp. 8 HB 2752 Supp. 10
SB 6635-S Supp. 2 SB 6636 Supp.		HB 2690 Supp. 8 HB 2753 Supp. 10 HB 2691 Supp. 8 HB 2753-S Supp. 22
SB 6637 Supp.		HB 2691-S Supp. 20 HB 2754 Supp. 11
SB 6638 Supp.	8 SB 6699 Supp. 11	HB 2692 Supp. 9 HB 2755 Supp. 11
SB 6639 Supp. SB 6639-S Supp. 2	11	HB 2693 Supp. 9 HB 2756 Supp. 11 HB 2694 Supp. 9 HB 2757 Supp. 11
55 0057 5 Supp. 2	. 52 0700 5 Supp. 22	110 2074 Зирр. 7 110 2737 Зирр. 11

S	ENATE	HOUSI	Ε
SB 6701 Supp. 11	SB 6760 Supp. 15	HB 2757-S Supp. 21	HB 2822 Supp. 12
SB 6702 Supp. 11	SB 6760-S Supp. 22		HB 2823 Supp. 12
SB 6702-S Supp. 20 SB 6703 Supp. 11	SB 6761 Supp. 15 SB 6762 Supp. 15		HB 2823-S Supp. 22 HB 2824 Supp. 12
SB 6703-S Supp. 22	SB 6763 Supp. 15		HB 2825 Supp. 12
SB 6704 Supp. 11	SB 6764 Supp. 15		HB 2826 Supp. 12
SB 6704-S Supp. 21 SB 6705 Supp. 11	SB 6765 Supp. 15 SB 6765-S Supp. 22		HB 2827 Supp. 12 HB 2827-S Supp. 21
SB 6706 Supp. 11	SB 6766 Supp. 15	HB 2764 Supp. 11	HB 2828 Supp. 12
SB 6706-S Supp. 22	SB 6767 Supp. 15		HB 2829 Supp. 12
SB 6707 Supp. 11 SB 6708 Supp. 11	SB 6767-S Supp. 20 SB 6768 Supp. 15		HB 2829-S Supp. 21 HB 2830 Supp. 12
SB 6709 Supp. 11	SB 6769 Supp. 15	HB 2767 Supp. 11	HB 2831 Supp. 12
SB 6710 Supp. 11	SB 6770 Supp. 16		HB 2831-S Supp. 19
SB 6711 Supp. 11 SB 6712 Supp. 11	SB 6771 Supp. 16 SB 6772 Supp. 16		HB 2832 Supp. 12 HB 2833 Supp. 12
SB 6712-S Supp. 22	SB 6773 Supp. 16	HB 2770 Supp. 11	HB 2834 Supp. 12
SB 6714 Supp. 11	SB 6774 Supp. 16 SB 6775 Supp. 16		HB 2835 Supp. 12
SB 6714 Supp. 11 SB 6715 Supp. 11	SB 6776 Supp. 16		HB 2836 Supp. 12 HB 2837 Supp. 12
SB 6716 Supp. 11	SB 6776-S Supp. 22	HB 2773-S Supp. 22	HB 2838 Supp. 13
SB 6717 Supp. 11 SB 6718 Supp. 11	SB 6777 Supp. 16 SB 6778 Supp. 16		HB 2839 Supp. 13 HB 2840 Supp. 13
SB 6718-S Supp. 22	SB 6779 Supp. 16		HB 2841 Supp. 13
SB 6719 Supp. 12	SB 6780 Supp. 16		HB 2842 Supp. 13
SB 6719-S Supp. 22 SB 6720 Supp. 12	SB 6781 Supp. 16 SB 6782 Supp. 17		HB 2843 Supp. 13 HB 2844 Supp. 13
SB 6720-S Supp. 12	SB 6783 Supp. 17		HB 2844-S Supp. 21
SB 6721 Supp. 12	SB 6784 Supp. 17		HB 2845 Supp. 13
SB 6722 Supp. 12 SB 6723 Supp. 12	SB 6785 Supp. 17 SB 6786 Supp. 17		HB 2846 Supp. 13 HB 2847 Supp. 13
SB 6724 Supp. 12	SB 6787 Supp. 17		HB 2847-S Supp. 22
SB 6724-S Supp. 21	SB 6788 Supp. 17		HB 2848 Supp. 13
SB 6725 Supp. 12 SB 6726 Supp. 12	SB 6789 Supp. 17 SB 6790 Supp. 17		HB 2849 Supp. 13 HB 2849-S Supp. 21
SB 6727 Supp. 13	SB 6791 Supp. 17		HB 2850 Supp. 13
SB 6728 Supp. 13	SB 6792 Supp. 17		HB 2851 Supp. 13
SB 6729 Supp. 13 SB 6730 Supp. 13	SB 6793 Supp. 17 SB 6794 Supp. 17	HB 2790 Supp. 11 HB 2791 Supp. 11	HB 2852 Supp. 13 HB 2853 Supp. 13
SB 6731 Supp. 13	SB 6795 Supp. 17	HB 2792 Supp. 11	HB 2854 Supp. 13
SB 6732 Supp. 13 SB 6733 Supp. 13	SB 6796 Supp. 17 SB 6797 Supp. 18		HB 2855 Supp. 13 HB 2856 Supp. 13
SB 6733-S Supp. 20	SB 6798 Supp. 18	**	HB 2857 Supp. 13
SB 6734 Supp. 13	SB 6799 Supp. 18	HB 2796 Supp. 11	HB 2858 Supp. 13
SB 6735 Supp. 13 SB 6735-S Supp. 21	SB 6800 Supp. 18 SB 6801 Supp. 18		HB 2859 Supp. 13 HB 2860 Supp. 13
SB 6736 Supp. 13	SB 6802 Supp. 18		HB 2861 Supp. 13
SB 6737 Supp. 13	SB 6803 Supp. 18		HB 2862 Supp. 13
SB 6738 Supp. 13 SB 6738-S Supp. 21	SB 6804 Supp. 19 SB 6805 Supp. 19		HB 2863 Supp. 13 HB 2864 Supp. 13
SB 6739 Supp. 13	SB 6806 Supp. 19	**	HB 2864-S Supp. 22
SB 6740 Supp. 13	SB 6807 Supp. 19		HB 2865 Supp. 13
SB 6741 Supp. 13 SB 6742 Supp. 14	SB 6808 Supp. 19 SB 6809 Supp. 19		HB 2866 Supp. 13 HB 2866-S Supp. 21
SB 6743 Supp. 14	SB 6810 Supp. 19		HB 2867 Supp. 13
SB 6744 Supp. 14	SB 6811 Supp. 20		HB 2868 Supp. 13
SB 6745 Supp. 14 SB 6745-S Supp. 22	SB 6812 Supp. 21 SB 6813 Supp. 21		HB 2869 Supp. 13 HB 2870 Supp. 13
SB 6746 Supp. 14	SB 6814 Supp. 21		HB 2871 Supp. 13
SB 6747 Supp. 14	SB 6815 Supp. 22		HB 2872 Supp. 13
SB 6748 Supp. 14 SB 6749 Supp. 14	SJM 8026 Supp. 2 SJM 8026-S Supp. 9		HB 2873 Supp. 14 HB 2874 Supp. 14
SB 6750 Supp. 14	SJM 8027 Supp. 2	HB 2813 Supp. 12	HB 2874-S Supp. 22
SB 6751 Supp. 14	SJM 8027-S Supp. 10		HB 2875 Supp. 14
SB 6752 Supp. 14 SB 6753 Supp. 14	SJM 8028 Supp. 3 SJM 8029 Supp. 3		HB 2876 Supp. 14 HB 2877 Supp. 14
SB 6754 Supp. 15	SJM 8029-S Supp. 11	HB 2817 Supp. 12	HB 2878 Supp. 14
SB 6755 Supp. 15	SJM 8030 Supp. 3	==	HB 2879 Supp. 14
SB 6756 Supp. 15 SB 6757 Supp. 15	SJM 8031 Supp. 4 SJM 8032 Supp. 5		HB 2879-S Supp. 17 HB 2880 Supp. 14
SB 6758 Supp. 15	SJM 8033 Supp. 5	HB 2820 Supp. 12	HB 2881 Supp. 14
SB 6759 Supp. 15	SJM 8034 Supp. 8	HB 2821 Supp. 12	HB 2882 Supp. 14

#### **SENATE**

## SJM 8035 . . . . . Supp. 10 SJM 8036 . . . . . Supp. 11 SJM 8036-S . . . . . Supp. 20 SJM 8037 . . . . . Supp. 14 SJM 8038 ..... Supp. 16 SJR 8220 ..... Supp. 1 SJR 8221 ..... Supp. SJR 8222 ..... Supp. SJR 8223 ..... Supp. SJR 8224 ..... Supp. SJR 8225 ..... Supp. SJR 8226 ..... Supp. 15 SCR 8403-S2 .... Supp. 22 SCR 8422 . . . . . Supp. SCR 8423 ..... Supp. SCR 8424 ..... Supp. SCR 8425 . . . . . Supp. 2 SCR 8426 . . . . . Supp. 13 SCR 8427 ..... Supp. 13 SCR 8428 ..... Supp. 14 SCR 8429 . . . . . Supp. 18 SCR 8430 . . . . . Supp. 18

#### **HOUSE**

HB 2883 Supp. 14	HB 2952 Supp. 21
HB 2884 Supp. 14	HB 2953 Supp. 22
HB 2885 Supp. 15	HB 2954 Supp. 22
IID 2006 Supp. 15	
HB 2886 Supp. 15	HB 2955 Supp. 22
HB 2886-S Supp. 22	HJM 4016 Supp. 1
HB 2887 Supp. 15	HJM 4017 Supp. 1
HB 2888 Supp. 15	HJM 4018 Supp. 3
HB 2889 Supp. 15	HJM 4019 Supp. 4
HB 2890 Supp. 15	HJM 4020 Supp. 4
HB 2891 Supp. 15	· · · · · · · · · · · · · · · · · · ·
HB 2892 Supp. 15	HJM 4022 Supp. 8
HB 2893 Supp. 15	HJM 4023 Supp. 8
HB 2894 Supp. 15	HJM 4024 Supp. 10
HB 2895 Supp. 15	HJM 4025 Supp. 10
HB 2896 Supp. 15	HJM 4026 Supp. 12
HB 2897 Supp. 16	HJM 4026-S Supp. 22
HB 2898 Supp. 16	HJM 4027 Supp. 13
HB 2899 Supp. 16	HJM 4028 Supp. 13
HB 2900 Supp. 16	HJM 4029 Supp. 21
HB 2901 Supp. 16	HJR 4219 Supp. 3
HB 2902 Supp. 16	HJR 4220 Supp. 5
HB 2903 Supp. 16	HJR 4221 Supp. 13
HB 2904 Supp. 16	HJR 4222 Supp. 14
HB 2905 Supp. 16	HJR 4223 Supp. 18
HB 2906 Supp. 17	HCR 4402-S Supp. 16
HB 2907 Supp. 17	HCR 4409-S2 Supp. 11
HB 2908 Supp. 17	HCR 4411-S Supp. 10
HB 2909 Supp. 17	HCR 4412-S Supp. 10
HB 2910 Supp. 17	HCR 4420 Supp. 1
HB 2911 Supp. 17	HCR 4421 Supp. 1
HB 2912 Supp. 17	HCR 4422 Supp. 4
HB 2913 Supp. 18	HCR 4422-S Supp. 22
HB 2914 Supp. 18	HCR 4423 Supp. 8
HB 2914-S Supp. 22	HCR 4423-S Supp. 21
HB 2915 Supp. 18	HCR 4424 Supp. 13
	ПСК 4424 Supp. 13
HB 2916 Supp. 18	
HB 2917 Supp. 18	
HB 2918 Supp. 18	
HB 2919 Supp. 18	
HB 2919-S Supp. 22	
HB 2920 Supp. 18	
HB 2921 Supp. 18	
HB 2922 Supp. 18	
HB 2923 Supp. 19	
HB 2924 Supp. 19	
HB 2925 Supp. 19	
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HB 2949 Supp. 21	
HB 2950 Supp. 21	
HB 2951 Supp. 21	